

Message

From: White, Terri-A [White.Terri-A@epa.gov]
Sent: 8/18/2017 12:48:20 PM
To: Reinhart, Roger [Reinhart.Roger@epa.gov]
CC: rogers, rick [rogers.rick@epa.gov]; Reynolds, Lori [Reynolds.Lori@epa.gov]; Sternberg, David [Sternberg.David@epa.gov]; schaffer, joan [schaffer.joan@epa.gov]; damm, thomas [Damm.Thomas@epa.gov]
Subject: Re: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Thanks all!

Sent from my iPhone

On Aug 18, 2017, at 7:43 AM, Reinhart, Roger <Reinhart.Roger@epa.gov> wrote:

Here is the latest response I review which appears to be accurate.

From: Reinhart, Roger
Sent: Thursday, August 17, 2017 4:04 PM
To: Duchovnay, Andrew
Subject: RE: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Thanks for sharing Andy. I believe the statement below accurately captures the sequence of events as I remember them.

From: Duchovnay, Andrew
Sent: Thursday, August 17, 2017 3:55 PM
To: Field, Stephen <Field.Stephen@epa.gov>; Reinhart, Roger <Reinhart.Roger@epa.gov>; Bennett, James <bennett.james@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>
Subject: FW: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Below are the edits to the statement to be provided to the reporter seeking information about the 2002 order.

From: Speir, Jeffrey
Sent: Thursday, August 17, 2017 3:49 PM
To: Clark, Jacqueline <clark.jacqueline@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
Cc: Collins, Charlie <collins.charlie@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: RE: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Thank you! I will pass your edits, and the additional background information you provided, to John Senn.

Jeffrey Speir
Attorney-Adviser
U.S. Environmental Protection Agency
OECA – OCE – Water Enforcement Division
1200 Pennsylvania Avenue, NW (2243-A)

Washington, DC 20460
(202) 564-0872

From: Clark, Jacqueline
Sent: Thursday, August 17, 2017 3:27 PM
To: Speir, Jeffrey <speir.jeffrey@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
Cc: Collins, Charlie <collins.charlie@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: RE: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

All – background information directly below and proposed edits further below in Jeff’s email. I’ve also attached the 2002 SDWA Section 1431 Consent Order.

In 2001, West Virginia ordered DuPont (2001 WV Order) to investigate the extent of ground water and surface water contamination of C-8 (aka PFOA) in private and public water supplies in the vicinity of DuPont’s Washington Works Facility in WV. The 2001 WV Order also established a group of toxicologists named the C-8 Assessment of Toxicity Team (CAT Team) that included representatives from WV DEP, EPA, the Agency for Toxic Substances and Disease Registry (ATSDR) and industry. The CAT Team was tasked with developing a temporary screening level at which there were “no adverse health effects” observed in available PFOA toxicity studies. On March 7, 2002, EPA Regions III and V jointly issued a SDWA Section 1431 Emergency Order on Consent to DuPont (2002 EPA Order) in support of the 2001 WV Order. The 2002 EPA Order required DuPont to provide alternate water to residents living in the vicinity of the facility if any private or public drinking water sample results exceeded a temporary screening level for PFOA, which was established in the 2002 EPA Order at 14 ppb and was based on a January 24, 2002, DuPont contractor study. However, EPA and DuPont agreed in the 2002 EPA Order that DuPont should use the CAT Team screening level (once finalized) in lieu of the 14 ppb level. The CAT Team established a threshold value of 150 ppb for PFOA, and because none of the public or private waters supplies contained PFOA in excess of the 150 ppb threshold value, DuPont was not required to provide alternate water to residents living in the vicinity of the Facility under the 2002 EPA Order.

Jacqueline Clark

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From: Speir, Jeffrey
Sent: Thursday, August 17, 2017 11:55 AM
To: Clark, Jacqueline <clark.jacqueline@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>
Cc: Collins, Charlie <collins.charlie@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Hi Jacqueline and Lynne,

John Senn (Communications Director, OECA) has proposed language, edited immediately below, to respond to a reporter's inquiry, highlighted farther below, on PFOA health screening levels for the DuPont Washington Works facility in West Virginia. I am not very familiar with the contents of the consent orders with DuPont, except that there was an amendment earlier this year. The edits I provide below come from the language of the 2002 consent order and the press release announcing the 2017 amendment.

Are these edits (in strikethrough and underline) accurate? Is there anything that would be pertinent to add?

Ex. 5 Deliberative Process (DP)

I apologize for forwarding this request on to you, but I thought you may more readily know these details.

Please let me know if you have any questions.

-Jeff

Jeffrey Speir
Attorney-Adviser
U.S. Environmental Protection Agency

OECA – OCE – Water Enforcement Division
1200 Pennsylvania Avenue, NW (2243-A)
Washington, DC 20460
(202) 564-0872

-----Original Message-----

From: Collins, Charlie
Sent: Thursday, August 17, 2017 12:13 PM
To: Speir, Jeffrey <speir.jeffrey@epa.gov>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: RE: For WCED/WED review: language for media inquiry re DuPont PFOA levels
Importance: High

Jeff,

Ex. 5 Deliberative Process (DP)

-Charlie

Charlie A. Collins II, Ph.D.
Environmental Scientist
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-----Original Message-----

From: Speir, Jeffrey
Sent: Thursday, August 17, 2017 11:52 AM
To: Collins, Charlie <collins.charlie@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: FW: For WCED/WED review: language for media inquiry re DuPont PFOA levels

Hi Charlie and Chrisna,

I do not know much about the PFOA consent order. Please let me know how we can get back to John regarding the language he proposes below.

-Jeff

Jeffrey Speir
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(202) 564-0872

-----Original Message-----

From: Garvey, Mark
Sent: Thursday, August 17, 2017 11:46 AM
To: Senn, John <Senn.John@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>
Cc: Denton, Loren <Denton.Loren@epa.gov>; King, Carol <King.Carol@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Miles, James <miles.james@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Subject: RE: For WCED/WED review: language for media inquiry re DuPont PFOA levels

John,

Ex. 5 Deliberative Process (DP)

Mark

Mark Garvey
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Attorney
202-564-4168
garvey.mark@epa.gov

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-----Original Message-----

From: Senn, John
Sent: Thursday, August 17, 2017 11:30 AM
To: Garvey, Mark <Garvey.Mark@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>
Cc: Denton, Loren <Denton.Loren@epa.gov>; King, Carol <King.Carol@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Miles, James <miles.james@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Subject: For WCED/WED review: language for media inquiry re DuPont PFOA levels
Importance: High

Hi everyone--as Mark and James are already aware, a reporter from a news outlet in North Carolina contacted us yesterday with a couple questions about the PFOA screening and action levels in the settlement with the DuPont facility in West Virginia. This inquiry is surely related to the GenX matter.

Here's the reporter's inquiry:

The EPA enforcement page on the settlement activity (<https://www.epa.gov/enforcement/ei-dupont-de-nemours-and-company-pfoa-settlements>) lists the initial temporary screening level for PFOA from the 2002 settlement as 150 ppb. But looking at the text of the actual consent order, it appears that initial temporary screening level was 14 ug/l, or 14 ppb. Is this an error on the enforcement page summary, or am I missing something?

Here's a draft response (which obviously needs some details filled in)...let me know if I missed the mark with any of this language.

Ex. 5 Deliberative Process (DP)

I would like to get this inquiry closed out by COB--I am cc'ing Terri White, my counterpart in R3, for her awareness since I know the region is heavily involved in this site and the GenX matter as well as Allison Dennis in OW comms, who has been involved in their PFOA comms work.

I'm teleworking today and on my cell; Ex. 6 Personal Privacy (PP) if anyone wants to connect on this--thanks, John